



Attorney's Docket No. B0801/7116

Applicant: Toshimichi Shinohara, et al.
Filing Date: July 23, 1998
Serial No: 09/121,211
For: LENS EPITHELIAL CELL DERIVED GROWTH FACTOR

**DECLARATION CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(e) and 1.27(d) - NONPROFIT ORGANIZATION)**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: The Brigham and Women's Hospital, Inc.
ADDRESS OF ORGANIZATION: 75 Francis St., Boston, MA 02115

TYPE OF ORGANIZATION:

**[X] TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC
501(a) and 501(c) (3))**

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41 (a) and (b) of Title 35, United States Code with regard to the invention entitled LENS EPITHELIAL CELL DERIVED GROWTH FACTOR by inventor, Toshimichi Shinohara, Dharendra Singh and Leo T. Chylack, Jr., described in application for United States Letters Patent described in application serial no. 09/121,211 filed July 23, 1998.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above-identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(e) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

[X] no such person, concern, or organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING:

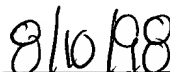

Brian N. Hicks

TITLE IN ORGANIZATION:

Director, Ventures Department
The Brigham & Women's Hospital, Inc.

ADDRESS OF PERSON SIGNING: 75 Francis St., Boston, MA 02115

DATE:


8/10/98



DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

LENS EPITHELIAL CELL DERIVED GROWTH FACTOR

the specification of which is attached hereto unless the following is checked:

[X] was filed on July 23, 1998, as United States Application No. 09/121,211.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

60/053,549 07/23/97
(Application Number) (filing date)

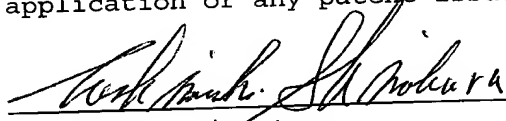
I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

| | | | | | |
|----------------------|--------|------------------------|--------|--------------------------|--------|
| David Wolf | 17,528 | James H. Morris | 34,681 | John R. Van Amsterdam | 40,212 |
| George L. Greenfield | 17,756 | Peter C. Lando | 34,654 | Matthew B. Lowrie | 38,228 |
| Stanley Sacks | 19,900 | Gary S. Engelson | 35,128 | Michael G. Verga | 39,410 |
| Edward F. Perlman | 28,105 | Peter J. Gordon | 35,164 | Robert E. Rigby, Jr. | 36,904 |
| Lawrence M. Green | 29,384 | Randy J. Pritzker | 35,986 | Robert A. Skrivánek, Jr. | 41,316 |
| Steven J. Henry | 27,900 | Richard F. Giunta | 36,149 | Robert M. Abrahamsen | 40,886 |
| Therese A. Hendricks | 30,389 | Douglas R. Wolf | 36,971 | Lesley A. Hamlin | 41,054 |
| Edward R. Gates | 31,616 | Elizabeth R. Plumer | 36,637 | Mike W. Crosby | 40,970 |
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| Ronald J. Kransdorf | 20,004 | John N. Anastasi | 37,765 | Michele J. Young | 43,299 |
| M. Lawrence Oliverio | 30,915 | Helen C. Kindregan | 39,248 | Edward J. Russavage | 43,069 |
| James J. Foster | 30,052 | James M. Hanifin, Jr. | 39,213 | Alan B. Sherr | 42,147 |
| Charles E. Pfund | 17,030 | Christopher S. Schultz | 37,929 | John C. Gorecki | 38,471 |
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



12/8/98

Date

Inventor's signature

Full name first inventor

Citizenship

Residence

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Same as above



12/08/98

Date

Inventor's signature

Full name of second inventor

Citizenship

Residence

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Same as above



12/7/98

Date

Inventor's signature

Full name of third inventor

Citizenship

Residence

Post Office Address

Leo T. Chylack, Jr.

USA

15 Bradford Rd., Duxbury, MA 02331

Same as above